



ARUNACHAL PRADESH INFORMATION COMMISSION

ITANAGAR.

An Appeal Case U/S 19(3) of RTI Act, 2005

Case No. APIC- 788/2025

(Summon to appear in person)

(Or. 5, R.3 of CPC)

APPELLANTS : Shri Tai Shiva, Shri Ngaker Jumken, Shri Kaling Tabi & Shri Bengia Mangming.
RESPONDENT : The AIGP (Planning)-cum-PIO, o/o the Director General of Police (P.H.Q), Itanagar.

ORDER/SUMMONS

This is an appeal under Section 19(3) of RTI Act, 2005 received from Shri Tai Shiva, Shri Ngaker Jumken, Shri Kaling Tabi & Shri Bengia Mangming for non-furnishing of below mentioned information by the PIO, o/o the Superintendent of Police (SIT/ Crime) o/o the Director General of Police P.H.Q Itanagar as sought for by them under section 6(1) (Form-A) of RTI Act, 2005 vide their application dated 28.08.2025.

A) Particulars of information: Seeking information pertaining to appointment and promotion order copies with required documents submitted for appointment of Shri Tana Tadap, Head Constable 3rd IRBN, BHQ Jully, Itanagar A.P.

B) Details of information:

1. Date of advertisement for the appointment, if any.
2. Application with all required documents submitted for the appointment and
3. Date of appointment and promotion with copies of the appointment and promotion order.

Facts emerging from the appeal:

Records in the appeal reveal that the appellants, Shri Tai Shiva and 4(four) others had requested the PIO, o/o the Superintendent of Police (SIT/ Crime), o/o the Director General of Police P.H.Q Itanagar for the aforementioned information/documents but failed to obtain the same which prompted them to file their 1st appeal under section 19(1) of the RTI Act before the DIG, PHQ as the First Appellate Authority (FAA) vide Memo of Appeal dt.30.09.2025.

Records also disclose that the AIGP (Planning)-cum-PIO, o/o the DGP (PHQ), vide letter dt.29.09.2025 (as reproduced hereunder), had furnished to the appellants the requested information vide Annexure-I & II to the said letter.

“Refer your RTI application dated 28/08/2025 seeking information regarding Appointment and promotion order copies with required documents submitted for appointment in respect of Shri Tana Tadap, Head Constable, 3rd IRBN as mentioned in the application.

2. *The information is enclosed herewith as Annexure-I & II (containing 21 pages) for your information.*

3. As per Section 19 of Right to Information Act, 2005, you may file an appeal to the First Appellate Authority i.e. DIGP (HQ), PHQ, Itanagar in respect of the information sought within a period of 30 (Thirty) days from the date of issue of this information, if you desire so.

Sd/-

(Singjatla Singpho) IPS

Asstt. Inspector General of Police (Planning)

-Cum-Public Information Officer (PIO)

Records further reveal that the DIG (HQ) as the First Appellate Authority (FAA), on receipt of the 1st Appeal dt. 30.09.25, from the appellants under section 19(1) of the RTI Act, had considered and disposed off the appeal vide order dt. 16.10.25 as under:

"Whereas RTI Appeal dated 30/09/2025 preferred under RTI Act, 2005 by Shri Tai Shiva & 3 others, Add-Lekha Tomru Segment village, PO/PS- Doimukh, Papum Pare(AP) herein the appellant contending that PIO, PHQ Itanagar vide RTI reply letter no. PHQ/PB/RTI/ID No. 67/2025 dated 29/09/2025 has furnished incomplete and false information in response to his RTI Form-A application dated 28/08/2025.

The appeal filed by the appellant was examined. Records were seen, comments of personnel branch were obtained. The RTI application dated 28/08/2025 was received from the appellant seeking information regarding appointment and promotion order copies with required documents submitted by Shri Tana Tadap during the time of appointment as a Constable in IRBn. The application of the applicant was forwarded to the AIGP(E) vide UO letter dated 29/08/2025 by the PIO, PHQ Itanagar to furnish the required information/documents. Accordingly the AIGP(E), PHQ Itanagar vide letter dated 16/09/2025 has furnished the information/documents on point number 1 & 3. With regards point No. 2 he mentioned that, the information is 3rd party information which can not be disclosed under Section 8(1) (j) of the RTI Act 2005. I agree with the decision given by the PIO, PHQ Itanagar and upheld the same. Appeal is disposed of accordingly.

Sd/-

(Chinmoy Biswal) IPS

Dy. Inspector General of Police (HQ)

-cum-First Appellate Authority

Police Headquarters, Itanagar"

Aggrieved by the response of the PIO and the FAA as above, the appellants filed their 2nd appeal before this Commission under section 19(3) of the RTI Act, 2005 vide their Memo of Appeal dt. 17.10.2025 on the ground that the PIO had furnished incomplete and false information.

Hearing and decision:

This appeal is, accordingly, listed and heard today on 25.02.2026.

Shri Tai Shiva, one of the appellants appeared through VC while the PIO is represented by Inspector, Prahlad Kumar Maharaj, i/c RTI .

Heard the parties.

The appellant, while submitting that the PIO has furnished the replies/information against the queries numbers 1 and 3 of which they are satisfied with, the information /documents against query No.3 has not been furnished, pleaded for an appropriate direction to the PIO to furnish the left out information.

The representative of the PIO, on the other hand, reiterated that the information/documents requested by the appellant vide Sl. No3 of his RTI application was not furnished as they are exempted under section 8(1)(j) of the RTI Act, 2005. He also stated that the requested documents are under the custody of the controlling unit of the staff/official at Sijosa.

This Commission is, however, of the opinion that the requested information such as the APST Certificate, PRC, Educational Certificate etc. which are in the nature of personal information being covered under clauses (d) and (j) section 8(1)) could be disclosed *if the disclosure has a relationship to any public activity*. And since the requested documents (APST Certificate, PRC, Educational Certificate) pertain to eligibility criteria for appointment to a public office which is in the interest of public service, thus having relationship with public activity or interest, the exemption /protection provided by the section gets excluded and as such this Commission is not in a position to accept the decision of the First Appellate Authority that the documents in question can not be disclosed. Accordingly, this Commission deems it appropriate to direct the PIO to collect the documents from the o/o the controlling authority holding the same and provide the said documents to the appellants within 3(three) weeks and report compliance therewith on 18.03.2026, the next date of hearing.

In this regard this Commission deems it appropriate to refer to the provisions of sub-sections (4) and (5) of section 5 of the RTI Act, 2005 which is reproduced hereunder:

“5(1)....

(2).....

(3).....

(4) *The Central Public Information or State Public Information Officer, as the case may be, may seek the assistance of any officer as he or she considers it necessary for the proper discharge of his or her duties.*

(5) *Any officer, whose assistance has been sought under sub-section (4), shall render all assistance to the Central Public Information Officer or State Public Information Officer, as the case may be, seeking his or her assistance and for the purposes of any contravention of the provisions of this Act, such other officer shall be treated as a Central Public Information Officer or State Public Information Officer, as the case may be.”*

The import of sub-section (5) of section 5 is that, if the officer whose assistance has been sought by the PIO, does not render necessary help to him, the Information Commission may impose penalty on such officer or recommend disciplinary action against him the same way as the Commission may impose penalty on or recommend disciplinary action against the PIO. In other words, on being requested by the PIO for the assistance of an officer for providing the documents requested by an RTI applicant, the said officer is bound to provide the requested documents/information and in the event of failure to provide the documents/information, such officer can be proceeded against as a PIO.

The authority holding the requested documents is, hence, directed to furnish the documents to the PIO, o/o the Director General of Police (P.H.Q), Itanagar as mandated by the provisions of law as above.

NOW THEREFORE, you are hereby summoned to appear in person or online in the Hon'ble Court of Shri Sangyal Tsering Bappu, **SIC on 18.03. 2026 (Wednesday) at 10.30 am** to answer the claims, and you are directed to produce on that day all the documents upon which you intend to rely in support of your claims/defence.

Take notice that, in default of your appearance. on the day abovementioned, the matter will be heard and determined in your absence.

To avail online hearing please at least notify or get in touch one day prior to the hearing, download **"WEBEX MEETING APP"** from Google Play store. For further technical assistance Shri Himanshu Verma, IT Consultant (Mobile no, 8319014957) maybe contacted.

Sd/-
(S. TSERING BAPPU)
State Information Commissioner,
APIC, Itanagar.

Memo No. APIC-788/2025 / 687 Dated Itanagar, the 27th Feb., 2026

Copy to:

1. The DIGP (HQ)(PHQ), Itanagar, the First Appellate Authority for information and ensuring compliance by the PIO concerned.
2. The AIGP (Planning)-cum-PIO, o/o the Director General of Police (P.H.Q), Itanagar PIN: 791113(with extra copy to the Controlling Authority at Sijosa) for information and compliance.
3. Shri Shri Tai Shiva, Shri Ngaker Jumken, Shri Kaling Tabi & Shri Bengia Mangming, r/o Lekha Tomru Sengment / vill., Doimukh PIN: 791112 Mobile No. 6909662248/ 9366634174/ 9362816403 for information.
4. Computer Programmer/Computer Operator for uploading on the Website of APIC, please.
5. Office copy.
6. S/copy

[Handwritten Signature]
- 27/02/26

Registrar/ Deputy Registrar
APIC, Itanagar.

Deputy Registrar
Arunachal Pradesh Information Commission
Itanagar